



# Georgia

## HOUSE OF REPRESENTATIVES

Tuesday  
February 4,  
2020

# DAILY REPORT

11th  
Legislative  
Day

House Budget & Research Office  
(404) 656-5050

- The House will reconvene for its 12th Legislative Day on Wednesday, February 5 at 10:00 a.m.
- The Rules Committee will meet at 9:00 a.m.
- Three bills / resolutions are expected to be debated on the floor.

### Next on the Floor from the Committee on Rules

*The Committee on Rules has fixed the calendar for the 12th Legislative Day, Wednesday, February 5, and bills may be called at the pleasure of the Speaker. The Rules Committee will next meet on Wednesday, February 5, at 9:00 a.m., to set the Rules Calendar for the 13th Legislative Day.*

#### **HB 663 Georgia Judicial Retirement System; membership for certain persons employed in certain full time positions requiring admission to the State Bar of Georgia as a condition of employment; require**

Bill Summary: HB 663 allows employees of the newly created Georgia Business Court (HB 239, 2019 Session) to become members of the Judicial Retirement System of Georgia (JRS) if they are employed full-time and are in good standing with the State Bar of Georgia. All other employees of the Georgia Business Court will be members of the Employees' Retirement System of Georgia (ERS). ERS is required to transfer employee and employer contributions to JRS and the member will receive service credit in JRS equal to the amount of service they earned while a member of ERS. This bill is certified by the Georgia Department of Audits and Accounts as a fiscal retirement bill. The actuarial investigation determines there is no cost to this legislation.

**Authored By:** Rep. Chuck Efstrotation (104th)  
**House** Retirement  
**Committee:**

**Rule Applied:** Modified-Structured  
**Committee** 01-14-2020 Do Pass by Committee  
**Action:** Substitute

#### **HR 326 Roger C. Dill Transportation Center; Tift County; dedicate**

Bill Summary: HR 326 dedicates the newly constructed Department of Transportation building in Tift County as the Roger C. Dill District Office.

**Authored By:** Rep. Penny Houston (170th)  
**House** State Properties  
**Committee:**

**Rule Applied:** Modified-Open  
**Committee** 01-15-2020 Do Pass by Committee  
**Action:** Substitute

#### **HR 935 Georgia Commission on Freight and Logistics; create**

Bill Summary: House Resolution 935 creates the Georgia Commission on Freight and Logistics to continue the work of determining the best course of action with regard to funding and policy development relating to freight and logistics through legislative and budgetary recommendations. The commission is composed of 22 members:

Three members of the House appointed by the speaker and three members of the Senate appointed by the lieutenant governor, including the chairs of the House and Senate Transportation committees;

Six representatives, three appointed by the speaker and three by the lieutenant governor, of entities which provide freight and logistics services, possess expertise in the operations of a major airport hub, or lead a major commodity or lead a major commodity shipper, major air shipping provider, or major manufacturing operation based in this state;

Four members, two appointed by the speaker and two by the lieutenant governor, who serve as local government officials;

The executive director of the Georgia Municipal Association;

The executive director of the Association County Commissioners of Georgia;

The president of the Georgia Chamber of Commerce;

The president of the Metro Atlanta Chamber of Commerce;

The commissioner of transportation, ex officio; and

The executive director of the Georgia Ports Authority, ex officio.

**Authored By:** Rep. Kevin Tanner (9th)  
**House** Transportation  
**Committee:**

**Rule Applied:** Modified-Open  
**Committee** 01-30-2020 Do Pass  
**Action:**

## Committee Actions

*Bills passing committees are reported to the Clerk's Office and are placed on the General Calendar.*

### Economic Development & Tourism Committee

**HB 244 Electric membership corporations; comply with certain requirements in determining the rates for attachments to utility poles by communications service providers; require**

Bill Summary: House Bill 244 states an electric membership corporation (EMC) shall not charge a pole attachment rate higher than the Federal Communications Commission (FCC) rate to a communications service provider. EMCs must establish nondiscriminatory, competitively neutral, and commercially reasonable terms and conditions for attachments, which shall comply with federal Code and FCC regulations. They may not require a provider to comply with utility pole attachment specifications that exceed the specifications in the National Electrical Safety Code, applicable fire codes, and any building code or similar code.

**Authored By:** Rep. Ron Stephens (164th)

**House Committee:** Economic Development & Tourism

**Committee Action:**

02-04-2020 Do Pass by Committee Substitute

### Judiciary Committee

**HB 786 Superior courts; additional judge of the Flint Judicial Circuit; provide**

Bill Summary: HB 786 increases the number of judges for superior courts in the Flint Judicial Circuit from three to four. The additional judge is appointed by the governor for a term beginning January 1, 2021, until December 31, 2022. A successor shall be elected at the nonpartisan judicial election held in 2022 and the elected successor shall take office January 1, 2023.

**Authored By:** Rep. Andrew Welch (110th)

**House Committee:** Judiciary

**Committee Action:**

02-04-2020 Do Pass by Committee Substitute

**HR 1023 Judiciary; people may petition for declaratory relief from certain acts of this state or certain local governments or officers or employees; provide - CA**

Bill Summary: HR 1023 proposes an amendment to the Georgia Constitution to allow Georgia citizens and corporations domiciled in Georgia to petition for declaratory relief from the judiciary for acts done by the State of Georgia, or any county, municipality, or consolidated government of Georgia. Petitions must be brought exclusively against the state, county, municipality or consolidated government, and may not be brought against an individual or officer. The General Assembly may authorize injunctive relief for such petitions and impose certain requirements upon petitions. Incarcerated or detained individuals are precluded from filing petitions. Damages, attorney's fees, or costs of litigation shall not be awarded in actions commenced pursuant to this amendment unless specifically authorized by the General Assembly.

**Authored By:** Rep. Andrew Welch (110th)

**House Committee:** Judiciary

**Committee Action:**

02-04-2020 Do Pass by Committee Substitute

### Motor Vehicles Committee

**HB 758 Georgia Motor Carrier Act of 2012; consideration of the deployment of motor carrier safety improvements in determining an individual's employment status with a motor carrier; prohibit**

Bill Summary: House Bill 758 establishes that if a motor carrier implements, requires, or deploys a motor carrier safety improvement, this action shall not impact the affected individual's status as an

employee or independent contractor.

**Authorized By:** Rep. Alan Powell (32nd)  
**House** Motor Vehicles  
**Committee:**

**Committee** 02-04-2020 Do Pass  
**Action:**

**HB 823 Crimes and offenses; lifetime disqualification from operating a commercial motor vehicle by persons convicted of trafficking other persons for labor or sexual servitude; provide**

Bill Summary: House Bill 823 provides that a person who knowingly uses a commercial motor vehicle in the commission of sexual or labor trafficking crimes will be disqualified as a commercial motor vehicle driver for life.

**Authorized By:** Rep. Houston Gaines (117th)  
**House** Motor Vehicles  
**Committee:**

**Committee** 02-04-2020 Do Pass by Committee  
**Action:** Substitute

## Regulated Industries Committee

**HB 523 Local government; regulating the use of certain real estate as short-term rental property; prohibit**

Bill Summary: House Bill 523 prohibits local government authorities from passing ordinances or regulations that prohibit the use of property as a short or long-term rental property. Moreover, local governing authorities' ordinances must not require the registration of such residential rental property; however, home-owners associations and private covenants restricting residences used as short or long-term rentals are valid and enforceable.

**Authorized By:** Rep. Kasey Carpenter (4th)  
**House** Regulated Industries  
**Committee:**

**Committee** 02-04-2020 Do Pass by Committee  
**Action:** Substitute

## Retirement Committee

**HB 336 Retirement and pensions; require certain public employers to make employer and employee contributions to the Teachers Retirement System of Georgia for beneficiaries employed by such certain public employers**

Bill Summary: HB 336 allows the public school system to hire a retired member of the Teachers Retirement System of Georgia to provide classroom instruction in science, technology, engineering, arts, math, or an area of highest need, only if one year has expired from the effective date of retirement. "Area of highest need" is defined as three content areas where there are the greatest percentages of unfilled positions for classroom teachers in the state. Retired members will continue to receive their retirement allowance, but will not earn additional creditable service. Also, the employer is required to pay the employee and employer contributions attributable to the salary of the retired member that was rehired. Lastly, if the employer does not pay the employer or employee contribution, the state will deduct that amount from funds payable to the employer and the payment will be made directly to the retirement system. This bill is certified by the Georgia Department of Audits and Accounts as a fiscal retirement bill. The actuarial investigation determines there is no cost to this legislation.

**Authorized By:** Rep. Shaw Blackmon (146th)  
**House** Retirement  
**Committee:**

**Committee** 02-04-2020 Do Pass by Committee  
**Action:** Substitute

**HB 659 Retirement and pensions; age of eligibility for retirement benefits for appellate court judges; decrease**

Bill Summary: HB 659 lowers the normal retirement age for "appellate court judges" under the Employees' Retirement System from 65 years to 60 years. The bill allows a surviving spouse to

receive a benefit whether or not the member has reached the age of 60. This bill is certified by the Georgia Department of Audits and Accounts as a fiscal retirement bill. The actuarial investigation estimates the annual employer contribution rate will increase from 40.38 percent to 56.62 percent, for a total cost of \$682,000.

**Authored By:** Rep. Trey Kelley (16th)  
**House Committee:** Retirement

**Committee Action:** 02-04-2020 Do Pass

**HB 664 Georgia Judicial Retirement System; membership for certain persons employed in certain full time positions requiring admission to the State Bar of Georgia as a condition of employment; require**

**Bill Summary:** HB 664 requires individuals hired by the Office of Legislative Counsel after July 1, 2020, to be members of Judicial Retirement System of Georgia (JRS), if they are employed full time and in good standing with the State Bar of Georgia. Employees of the Office of Legislative Counsel hired before July 1, 2020 can elect to remain members of Employees' Retirement System of Georgia (ERS) or transfer to JRS. If the member elects to transfer to JRS, ERS will transfer all employee and employer contributions, with interest to JRS. The transferred member receives credit under JRS for all service rendered if the individual pays the full actuarial cost of that service. This bill is certified by the Georgia Department of Audits and Accounts as a fiscal retirement bill. The actuarial investigation estimates the annual employer contribution rate will increase from 21.570 percent to 21.571 percent, for a total state cost of \$26,000.

**Authored By:** Rep. Barry Fleming (121st)  
**House Committee:** Retirement

**Committee Action:** 02-04-2020 Do Pass by Committee Substitute

**HB 821 Retirement and pensions; granting postretirement benefit adjustments to certain individuals; provisions**

**Bill Summary:** HB 821 allows Employee's Retirement System, Judicial Retirement System, and Legislative Retirement System members who retired after July 1, 2009 to receive a post retirement benefit adjustment on or after July 1, 2020, if the Board of Trustees grants the adjustment. The Department of Audits and Accounts has certified HB 821 as a non-fiscal retirement bill.

**Authored By:** Rep. Debbie Buckner (137th)  
**House Committee:** Retirement

**Committee Action:** 02-04-2020 Do Pass

## Committee Meeting Schedule

*This meeting schedule is up to date at the time of this report, but meeting dates and times are subject to change. To keep up with the latest schedule, please visit [www.house.ga.gov](http://www.house.ga.gov) and click on [Meetings Calendar](#).*

### Wednesday, February 05, 2020

8:00 AM	<a href="#">INSURANCE</a>	606 CLOB
8:30 AM	<a href="#">Transportation State Highways Subcommittee</a>	415 CLOB
9:00 AM	<a href="#">RULES</a>	341 CAP
10:00 AM	<a href="#">FLOOR SESSION (LD 12)</a>	House Chamber
1:00 PM	<a href="#">HIGHER EDUCATION</a>	606 CLOB
1:00 PM	<a href="#">APPROPRIATIONS HEALTH</a>	341 CAP
1:30 PM	<a href="#">Reeves Subcommittee of Judiciary Non-Civil</a>	132 CAP
2:00 PM	<a href="#">APPROPRIATIONS ECONOMIC DEVELOPMENT</a>	415 CLOB
2:00 PM	<a href="#">STATE PROPERTIES</a>	403 CAP
2:00 PM	<a href="#">Ways and Means Sales Tax Subcommittee</a>	133 CAP

2:30 PM	<a href="#">Setzler Subcommittee of Judiciary Non Civil</a>	132 CAP
2:30 PM	<a href="#">Ways and Means Income Tax Subcommittee</a>	133 CAP
3:00 PM	<a href="#">APPROPRIATIONS GENERAL GOVERNMENT</a>	341 CAP
3:00 PM	<a href="#">APPROPRIATIONS PUBLIC SAFETY</a>	606 CLOB
3:00 PM	<a href="#">WORKING GROUP ON CREATIVE ARTS AND ENTERTAINMENT</a>	403 CAP
3:00 PM	<a href="#">INDUSTRY AND LABOR</a>	506 CLOB
3:00 PM	<a href="#">Ways and Means Ad Valorem Tax Subcommittee</a>	133 CAP
4:00 PM	<a href="#">APPROPRIATIONS EDUCATION</a>	415 CLOB
4:00 PM	<a href="#">AGRICULTURE AND CONSUMER AFFAIRS</a>	403 CAP